

AN ACT

To amend KSPL No. K5-77-97, which created a Political Education Committee, to be consistent with Resolution No. 5-18 adopted June 4, 1997, and with the Agreement and Stipulation between the parties in *Becheserrak vs. KSG* (Civil Action No. 166-86); to authorize and appropriate funds to defray legal fees and costs incurred by the Plaintiffs; and for related purposes.

THE PEOPLE OF THE STATE OF KOROR REPRESENTED IN THE STATE LEGISLATURE DO ENACT AS FOLLOWS:

Section 1. Amendment. Section 1 of KSPL No. K5-77-97, is hereby amended to read and provide as follows:

"Section 1. Findings; Referendum date. A referendum (hereafter "the referendum") to be conducted on July 1, 1997 in the State of Koror was moved to July 15, 1997 by order of the court and agreement of the parties in the case of *Becheserrak vs. Koror State Government* (Supreme Court of the Republic of Palau, Trial Division, Civ. Act. No. 166-86, Order of March 12, 1997). Among other things, the agreement of the parties provides for Part III of Resolution No. 5-18 adopted June 4, 1997, by the Fifth Koror State Legislature to be the ballot measure in lieu of "Resolution 43," which was repealed by Resolution No. 5-18; and for the payment of \$20,000.00 by Defendant to defray legal fees and costs incurred by the Plaintiffs.

Section 2. Amendment. Section 3, subsection B and C, of KSPL No. K5-77-97, is hereby amended to read and provide as follows:

"Section 3. Political Education Committee.

...

B. The committee shall commence its work on or before May 17, 1997. A quorum of five (5) members may conduct the business and affairs of the committee. The duties of the committee shall terminate as

of 11:59 p.m. on July 14, 1997. Members of the committee shall receive compensation of twenty-five dollars (\$25.00) per meeting for serving the committee.

C. The committee shall have the following duties, responsibilities, and powers:

(1) the committee shall, as its primary purpose and function, inform the citizens and voters of Koror in an unbiased manner about the substance, nature, and effect of the proposed amendments to the Koror State Constitution as adopted in Resolution 5-18; and to inform the public about the court's order setting a Special Election for a referendum and its decisions in Civil Action 166-86, *Becbeserrak vs. Koror State Government*, in an unbiased manner;

...

(5) the committee shall at a minimum print and disseminate copies of Part III of Resolution No. 5-18, the proposed amendments to the Koror State Constitution that will be voted upon in the referendum. Part III of Resolution No. 5-18 is in "strikeover format" and shows the current versions of Koror State Constitution sought to be amended in the referendum as well as the proposed amendments."

Section 3. Amendment. Section 4 of KSPL No. K5-77-97, is hereby amended to read and provide as follows:

"Section 4. Authorization and appropriation. There is hereby authorized and appropriated the sum of twenty thousand dollars (\$20,000.00) which shall be used by the political education committee established by this Act and any amendments to it to fund political education on Resolution No. 5-18 and Part III thereof, the proposed amendments to the Koror State Constitution as described in this Act. The funds authorized and appropriated herein shall come from the Koror State block grant revenues received under RPPL No. 5-2. The Koror State Executive Administrator shall disburse the funds authorized and appropriated by this Act within three (3) business days after submission in writing by the political education committee of any request for payment; such request for payment shall include an invoice or other evidence of the debt or expenditure of the committee. All requests for payment shall be approved by a majority of committee members. The Koror State Executive Administrator may not withhold or refuse to disburse any money requested to be disbursed by the political education committee that is within the limit of funding authorized and appropriated by this Act; ~~if the Koror State Executive Administrator feels that any request or expenditure of the committee is improper or otherwise not warranted, then the Koror State Executive Administrator shall make the disbursement as requested, and may thereafter file suit on behalf of Koror State Government for the recovery of any funds improperly spent.~~ (Deleted, June 18, 1997 by HOTL)

Any unexpended sum herein authorized and appropriated shall revert to the Koror State Treasury subject for re-appropriation. No additional sum are

hereby appropriated; and no amendments are hereby made or intended to the sums previously appropriated for use by the committee by K5-77-97."

[SIC] Section 4. Authorization and appropriation. There is hereby authorized and appropriated the sum of twenty thousand dollars (\$20,0000) which shall be used to defray the legal fees and costs incurred by the Plaintiff in *Becheserrak vs. Koror State Government* as provided for in the settlement agreement providing for a referendum on Resolution No. 5-18 in lieu of "Resolution 43." The funds authorized and appropriated herein shall come from the Koror State block grant revenues received under RPPL No. 5-2. No funds shall be disbursed unless the court approves the Agreement and Stipulation in Civil Action 166-86, filed June 09, 1997.

Section 5. Severability. In the event that a court of competent jurisdiction determines that any part or portion of this law is invalid, then the offending portion or portions may be stricken, and the remaining portions shall continue in full force and effects.

Section 6. Effective Date. This Act shall become effective upon its approval by the House of Traditional Leaders of the State of Koror, or upon its becoming law by operation of the Koror State Constitution.

PASSED: June 11, 1997

CERTIFIED BY:

ATTEST TO BY:

/s/ \_\_\_\_\_  
Salvador Tellames, Speaker  
5<sup>th</sup> Koror State Legislature

/s/  
Charlyne Uong, Clerk  
5<sup>th</sup> Koror State Legislature

APPROVED as modified by deletion ON THIS 18 DAY OF June, 1997.

/s/  
Ibedul Y. M. Gibbons  
House of Traditional Leaders